

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office DEC 17 1990

Returned to applicant for correction _____

Corrected application filed _____ Map filed DEC 17 1990

The applicant UNBELIEVABLE, INC. (c/o Frontier Hotel)

3120 South Las Vegas Blvd.

of

Las Vegas

Street and No. or P.O. Box No.

City or Town

Nevada 89109

State and Zip Code No.

hereby make^s application for permission to change the

POINT OF DIVERSION AND PLACE OF USE.

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 42783

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

- The source of water is Underground
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 0.1225 CFS, 88.7 Acre Feet
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Quasi-Municipal (Hotel) and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for Quasi-Municipal (Hotel) and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T.21S., R.61E.,
Describe as being within a 40-acre subdivision of public survey and by course and
MDB&M, whence the S.W. Corner of Said Section 9 bears S. 64° 30' 00" W. a
distance to a section corner. If on unsurveyed land, it should be stated.
distance of 110 feet.
- The existing permitted point of diversion is located within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T.21S.,
If point of diversion is not changed, do not answer.
R.61E., MDB&M, whence the S.W. Corner of Said Section 9 bears S. 82° 29' 59"
W. a distance of 594.5 feet.
- Proposed place of use is a portion of the S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ and the S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9,
Describe by legal subdivisions. If for irrigation state number and kind of animals.
a portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, all in T.21S., R.61E., MDB&M, the lands appurtenant
to the Frontier Hotel.
- Existing place of use is a portion of the S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ and the S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9,
Describe by legal subdivisions. If permit is for irrigation, state number and kind of animals. If changing place of use and/or
a portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, and a portion of the SE $\frac{1}{4}$
manner of use of irrigation permit, describe acreage to be removed from irrigation.
SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, all in T.21S., R.61E., MDB&M.
- Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
- Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) Cased Well and Pump, Meter, Storage Tank,
State manner in which water is to be diverted, i.e. diversion structure.
Pipelines, Pumps and Valves to the place of use.
ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works \$250,000
- Estimated time required to construct works 2 years

14. Estimated time required to complete the application of water to beneficial use 3 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Water will be used to fulfill the annual requirements of an 1800 room hotel with restaurants, showrooms, etc. The existing well is not capable of pumping the total duty for the three permits located at the single point of diversion.

Compared bc/bc am/se

By s/James T. Anspach
James T. Anspach, P.E., Agent
1604 Bluestone Drive
Las Vegas, NV 89108

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 42783 is issued subject to the terms and conditions imposed in said Permit 42783 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 42782, 55536 and 55537 shall not exceed 186.957 million gallons annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.1225 cubic feet per second, but not to exceed 28.899 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before January 18, 1992

Proof of completion of work shall be filed before February 18, 1992

Application of water to beneficial use shall be made on or before January 18, 1993

Proof of the application of water to beneficial use shall be filed on or before February 18, 1993

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed JAN 30 1992

Proof of beneficial use filed MAR 10 1997

Cultural map filed _____

Certificate No. 14579 Issued MAY 14 1997

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 21st day of May

A.D. 1991

[Signature]
State Engineer

Alleged By: 70255 0.1225

EXHIBIT "A"

7. Proposed place of use SW1/4 NE1/4, SE1/4 NW1/4, NW 1/4 SE 1/4, NE 1/4 SW 1/4, Section 12, T. 14 N., R. 19 E., M.D.B.&M.; SW 1/4 SE1/4, Portion SE 1/4 SW 1/4, Section 6; NW 1/4 NE 1/4, SE 1/4 NW 1/4, Portion NE 1/4 NW 1/4, Portion SW 1/4 NE 1/4, Portion NW 1/4 SE 1/4, Portion SE 1/4 NE 1/4, W 1/2 SW 1/4, Portion E 1/2 SE 1/4, SW 1/4 SE 1/4, Portion SE 1/4 SW 1/4; Section 7; S 1/2 N 1/2, SW 1/4, NW 1/4 NW 1/4 SE 1/4, Section 8; NW 1/4 NW 1/4, W 1/2 NE 1/4 NW 1/4, W 1/2 SW 1/4 NW 1/4, NW 1/4 NW 1/4 SW 1/4, Section 17; NE 1/4 NE 1/4, NE 1/4 SE 1/4, SW 1/4 SE 1/4, NW 1/4 SE 1/4 SE 1/4, NW 1/4, NW 1/4 SW 1/4, Section 18; NW 1/4 NE 1/4, Section 19, all in T. 14 N., R. 20 E., M.D.B.&M..

